

Excerpts
Planning Commission Minutes
May 11, 2005

Application No. UP-667-05, Providence Classical School: Request to amend the conditions of a previously approved Special Use Permit [Application No. UP-591-02, Resolution No. R02-14(R)] authorizing the establishment of a private school on a 1.95-acre parcel of land located at 116 Palace Lane (Route 690) and further identified as Assessor's Parcel No. 9-11. The requested amendment would increase the maximum enrollment from 111 to 140 students. The 29 additional students would attend classes in the Ascension of Our Lord Byzantine Catholic Church located on a 0.69-parcel at 114 Palace Lane and further identified as Assessor's Parcel No. 9-12. The school property is zoned LB (Limited Business) and the church property is zoned GB (General Business). Both properties are designated for General Business development in the Comprehensive Plan.

Timothy C. Cross, AICP, Principal Planner, presented a summary of the memorandum to the Commission dated May 3, 2005, in which the staff recommended approval. He indicated the County had received no complaints about the school operating at its present location, and staff did not think an additional 29 students would cause any problems for the neighborhood.

Mr. Hamilton inquired about responsibility for maintaining the gravel driveway, and **Mr. Cross** said the owner of the adjacent office building owns it. He explained that a condition in the proposed resolution would require the school to re-install a barrier between its rear parking lot and the gravel driveway.

Mr. John Ryland, 97 Shellbank Drive, Williamsburg, vice president of the Providence Classical School Board, spoke on behalf of the applicant. He noted the school had grown since its opening in 2001 from 20 to 90 students. The school would like to continue its growth and in the future acquire property to build a facility offering kindergarten through grade 12 with approximately 900 students, but will be in its present location for the next several years.

Mr. Ryland said the school had chained off the gravel driveway adjoining its property for safety reasons and he was unaware the chain was removed until Mr. Cross's visual presentation tonight, and he would see that the chain is put back up to separate the driveway from the school parking lot.

Mr. Davis asked if parking is a problem at its current location. **Mr. Ryland** said there is plenty of parking in the designated school lot.

Mr. Davis asked if the school would meet County Code requirements for a school of 140 students. **Mr. Ryland** said it does, and there is an adequate number of bathrooms in each of the buildings in which it would like to expand. He said it would be perfect for the school to teach 119 students in the current building, but at this time is willing to maintain a maximum of 111 students in the school building, in accordance with the previously approved use permit.

Mr. Cross indicated that the staff had not proposed a requirement that the 29 additional students attend school in the church building instead of the school building. The proposed resolution would merely increase total enrollment from 111 to 140 students.

Mr. Ptasznik commended the school for being a good citizen and doing a good job as evidenced by the absence of complaints from the neighbors.

Mr. Hamilton favored approval so the school would be able to grow and use its space efficiently. **Mr. Barba** agreed.

Mr. Simasek commended the applicant for the good relations the school apparently has maintained with its neighbors.

Mr. Hamilton moved adoption of proposed Resolution No. PC05-23.

Resolution No. PC05-23

On motion of Mr. Hamilton, which carried 7:0, the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF A REQUEST TO AMEND A SPECIAL USE PERMIT BY INCREASING THE MAXIMUM ALLOWABLE ENROLLMENT FROM 111 TO 140 STUDENTS AT A PREVIOUSLY APPROVED PRIVATE SCHOOL LOCATED AT 116 PALACE LANE

WHEREAS, on February 5, 2002, the York County Board of Supervisors approved Application No. UP-591-02 to authorize a Special Use Permit for the establishment of a private school on a 1.95-acre parcel of land located at 116 Palace Lane (Route 690) and further identified as Assessor's Parcel No. 9-11; and

WHEREAS, Providence Classical School has submitted Application No. UP-667-05, which requests to amend the conditions of the above-referenced Special Use Permit, which are set forth in Resolution No. R02-14(R), by increasing the maximum enrollment from 111 to 140 students; and

WHEREAS, said application has been referred to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on this application; and

WHEREAS, the Commission has carefully considered the public comments with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 11th day of May, 2005, that Application No. UP-667-05 be, and it is hereby, transmitted to the York County Board of Supervisors with a recommendation of approval to amend the conditions of

approval for Application No. UP-591-02 set forth in Resolution No. R02-14(R) by increasing from 111 to 140 students the maximum allowable enrollment at a private school located on a 1.95-acre parcel at 116 Palace Lane (Route 690), further identified as Assessor's Parcel No.9-11, subject to the following conditions:

1. This approval shall authorize amendment of the conditions of approval for Application No. UP-591-02, set forth in Resolution No. R02-14(R), to increase the maximum allowable school enrollment from 111 to 140 students. Providence Classical School shall submit enrollment data in writing to the Planning Division no later than October 1 annually.
2. In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this Special Use Permit amendment shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.
3. Providence Classical School shall be responsible for installing curbing, wheel stops, landscape timbers, a chain, or some other physical barrier to prevent access between the school's rear parking and the adjacent gravel driveway.

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